

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FOREST LABORATORIES, INC.,
FOREST LABORATORIES HOLDINGS,
LTD., MERZ PHARMA GMBH & CO.
KGAA, and MERZ PHARMACEUTICALS
GMBH,

Plaintiffs,

v.

APOTEX INC. and APOTEX CORP.,

Defendants.

C.A. No. _____

PLAINTIFF MERZ PHARMA GMBH & CO. KGAA RULE 7.1 STATEMENT

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, the undersigned counsel for Plaintiff Merz Pharma GmbH & Co. KGaA (a nongovernmental corporate party) makes the following disclosure statement:

I. PARENT CORPORATIONS

The parent corporation of Merz Pharma GmbH & Co. KGaA is Merz GmbH & Co. KGaA.

II. PUBLICLY HELD COMPANIES OWNING 10% OR MORE OF ITS STOCK

As of June 5, 2008, no publicly held corporation owns 10% or more of Merz Pharma GmbH & Co. KGaA's stock.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP



Jack B. Blumenfeld (# 1014)
Maryellen Noreika (#3208)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
jblumenfeld@mnat.com
mnoreika@mnat.com

Attorneys for Plaintiffs

Of Counsel:

F. Dominic Cerrito
Daniel L. Malone
Eric C. Stops
JONES DAY
222 East 41st Street
New York, NY 10017
(212) 326-3939

June 5, 2008